

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**DIANA NICKERSON, Individually and
On Behalf of All Others Similarly
Situated,**

Plaintiff,

V.

**AMERICAN ELECTRIC POWER
COMPANY, INC., NICHOLAS K.
AKINS, BRIAN X. TIERNEY, and
JOSEPH M. BUONAIUTO,**

Defendants.

Case No. 2:20-cv-04243-SDM-EPD
Judge Sarah D. Morrison
Magistrate Judge Elizabeth
Preston Deavers

JOINT STIPULATION AND ORDER REGARDING TIME TO RESPOND

WHEREAS, on August 20, 2020, Plaintiff Diana Nickerson filed the above-captioned proposed class action against Defendants American Electric Power Company, Inc. and Nicholas K. Akins, Brian X. Tierney, and Joseph M. Buonaiuto (collectively “Defendants”);

WHEREAS, the complaint asserts claims for relief under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”), and is accordingly governed by the Private Securities Litigation Reform Act of 1995 and its procedures for the appointment of lead plaintiff and approving lead counsel after the expiration of a 60-day notice period following publication of notice of the filing of the initial securities class action, 15 U.S.C. § 78u-4(a)(3);

WHEREAS, Defendants, through their undersigned counsel, have agreed to accept service of the complaint in this action;

WHEREAS, Plaintiff and Defendants have agreed to a schedule that extends the time for Defendants to answer, move against or otherwise respond to the complaint until after a lead

plaintiff has been appointed and has filed an amended complaint, or has designated the complaint filed herein operative; and

WHEREAS, this is Defendants' first request for an extension of time to answer, move against or otherwise respond to the complaint, and this extension will not affect any other scheduled dates.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for Plaintiff and Defendants, that:

1. Defendants, through their undersigned counsel, hereby accept service of the complaint. By accepting service, Defendants do not waive any rights, defenses, or objections, other than as to the sufficiency of service of process;

2. Defendants' time to answer, move against or otherwise respond to any complaint in this action is stayed pending appointment of a lead plaintiff and the filing of an amended complaint; and

3. Within fourteen (14) days following entry of an order by the Court appointing a lead plaintiff(s) in this Action (or, if another related complaint(s) is filed, a consolidated action encompassing the above-captioned Action) pursuant to 15 U.S.C. § 78u-4(a)(3), counsel for Defendants and lead plaintiff shall confer and propose to the Court:

- (i) a date by which lead plaintiff shall either (a) serve and file an amended complaint that shall serve as the operative complaint in this Action and shall supersede any other complaints filed herein, or (b) notify counsel for Defendants that the complaint filed herein, or a complaint filed in a related action (if any), will be the operative complaint in this Action;

- (ii) a date by which Defendants shall answer, move against or otherwise respond to the operative complaint; and
- (iii) in the event Defendants file a motion to dismiss the operative complaint, a date by which lead plaintiff(s) shall file opposition papers and Defendants shall file reply papers to such motions.

Dated: August 28, 2020

/s/ Daniel R. Karon

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Attorneys for Plaintiff Diana Nickerson

/s/ James A. King

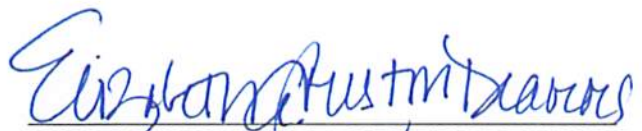
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Attorneys for Defendants American Electric Power Company, Inc., Nicholas K. Akins, Brian X. Tierney, and Joseph M. Buonaiuto

SO ORDERED:

Dated: August 31, 2020



HON. ELIZABETH A. PRESTON DEAVERS
CHIEF UNITED STATES MAGISTRATE JUDGE